

# Notice of Allowability

Application No.

10/088,118

Examiner

Marcus Charles

Applicant(s)

BRANDSMA ET AL.

Art Unit

3682

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 06-03-2004.
2. ☒ The allowed claim(s) is/are 15,18-19, 21-22 and 29-35.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☒ to Paper No./Mail Date 08-21-2003.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

Marcus Charles  
Primary Examiner  
Art Unit: 3682

### **DETAILED ACTION**

This action is responsive to the amendment filed 06-03-2004, which has been entered. Claims 15, 18-19, 21-22 and 29-35 are currently pending.

#### ***Drawings***

1. The drawings filed on 03-15-2002 are acceptable subject to correction of the informalities indicated on the attached "Notice of Draftsperson's Patent Drawing Review," PTO-948 mailed 08-21-2003. In order to avoid abandonment of this application, correction is required in reply to the Office action. The correction will not be held in abeyance.

#### ***Allowable Subject Matter***


2. The following is an examiner's statement of reasons for allowance: the prior art fails to anticipate or render obvious the combination of belt for use with in a continuously variable transmission as set forth in claims 15, 18, 21, 29, 31, 33 and 35, and in particular, include the nominal value of zero is realized upon by a tolerance of 0.00005 times the outer diameter of the inner ring, plus or minus the diameter. In claims 18 and 31, the nominal value of the play is zero which is realized by positive and negative amount of plays, the mutual play between the innermost pair of rings is of negative value and the outer diameter of the innermost ring is of a value  $(1-z)$  times the inner diameter of the adjacent ring,  $z$  being smaller than 0.0008. In claims 21 and 33, the outer diameter of the innermost ring is of a value  $(1-y)$  times the inner diameter of the adjacent ring,  $y$  being smaller than 0.0004. In claim 29, the nominal value of zero is realized upon by a tolerance of 0.00005 times the outer diameter of the inner ring, plus or

minus the diameter and in claim 35, the amount of mutual play between each pair of adjacent rings is equal to the diameter of the radially inwardly oriented surface of the radially outermost rings when in the circular configuration, minus the diameter of the radially outwardly oriented surface of the radially innermost ring of the adjacent nested rings.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcus Charles whose telephone number is (703) 305-6877. The examiner can normally be reached on Monday-Thursday 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bucci can be reached on (703) 308-3668. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

 7/16/2004  
Marcus Charles  
Primary Examiner  
Art Unit 3682  
July 16, 2004

